Medair Data Protection Policy

What is the purpose of this policy?

- To communicate the principles that govern how personal data must be collected, used, stored, and safeguarded.
- To comply with data protection laws and best practices
- To protect the privacy rights of Medair employees, beneficiaries, donors, and others, and
- To protect Medair from the risks of data breach, reputational damage, and legal liability.

Who we are

Medair is a Swiss-based international humanitarian organization dedicated to relieving human suffering in some of the world's most remote and devastated places. We reach people in underserved communities that have been damaged by natural disasters, conflicts and other crises. In doing so, we help people recover with dignity and develop skills to build a better future.

Who must follow this policy?

This policy applies to all Medair employees, trustees, board members, consultants, contractors, volunteers, interns, individuals or organisations under short or long term contractual obligations such as third parties, suppliers, agents, and implementing partners, and any other persons acting on behalf of Medair ("representatives"). Representatives are expected to read, understand, and comply with all aspects of this policy.

What is data protection and why is it regulated?

Data protection focuses on the use of personal data, the public expectation of privacy and the legal and political issues surrounding these interests. The protection of personal data is an important concern in our inter-connected world and the focus of numerous laws to protect against the disclosure and misuse of such information.

Why do we collect data?

The collection and appropriate use of certain personal data is critical to the fulfilment of Medair's mission. Medair processes the personal data of its employees, beneficiaries, donors, trustees, board members, consultants, contractors, volunteers, interns, vendors, prospective and former employees and others who come into contact with the organization (the "data subjects").

What is personal data?

Personal data, also known as personally identifiable information, is information that can be used to identify or contact a person. This includes names, email and postal addresses, telephone numbers, mobile telephone numbers, bank account details, credit and debit card details, and social media presence. Personal data also includes Internet Protocol (IP) addresses (data which identifies the location of a computer on the Internet), information about pages visited on our websites and files downloaded.

Certain categories of personal information are more sensitive than others. Data protection laws require stricter conditions to be met before such data can be processed. Sensitive personal data includes information on race and ethnicity, political opinions, trade union membership, religious or philosophical beliefs, sexual orientation, genetic data, biometric data and data concerning health, among other categories.

Data protection laws

Medair is committed to adhering to applicable data protection laws. The two primary laws that Medair must comply with are the Swiss Federal Act on Data Protection and the European Union General Data Protection Regulation. These laws apply whether data is stored electronically, on paper or in another format. To comply with these laws, personal data must be collected and used fairly, securely and only for lawful reasons. Violations of these laws can result in substantial financial penalties.

Data protection principles

Medair is required to embed the following data protection principles within its operations:

Lawfulness, fairness and transparency

Medair must identify and document a legal basis for the usage of all personal data. The most common bases for Medair include:

- when Medair has the consent of the data subject (for example, an individual agrees to provide their email address for the purpose of receiving news about Medair's activities)
- when the data subject is a party to a contract with Medair (a vendor signs a contract with Medair to provide services)
- when Medair is legally obligated to process the data (an employee provides tax information to Medair for payroll purposes)
- when it is necessary to protect the vital interests of the data subject (an employee going to the field provides private information to Medair for safety and security purposes)
- when processing serves Medair's legitimate interest (Medair conducts a fundraising campaign by direct marketing)

The processing of sensitive data requires that further conditions be met. Among the conditions most relevant to Medair are: obtaining explicit consent, using data for employment purposes, using data to protect the data subject's vital interests when she/he is unable to give consent, data has already been made public by the data subject or using the data is necessary for the exercise or defence of legal claims.

Medair must also inform individuals about the processing of their personal data in a concise and intelligible manner, which is easily accessible.

Limited purpose
Medair can only collect personal data for specified and legitimate purposes. Data cannot be used in a way that is incompatible with the original purpose unless another basis is identified.

Collect the minimum amount of data
Personal data held by Medair should be relevant and limited to what is necessary. No more than the minimum amount of data should be collected.

Accuracy
Personal data must be accurate and kept up to date. Inaccurate or outdated data should be deleted or amended.

Delete data that is no longer needed
Medair must delete personal data that is no longer needed.

Integrity and confidentiality
Medair must handle personal data in a manner that provides appropriate security against unlawful processing, accidental loss, destruction or damage.

Accountability
Medair must be able to demonstrate compliance with the principles described above. Compliance will include:

- Assessing current practices and developing a data privacy governance
- structure
- Creating a personal data inventory and privacy impact assessments
- Identifying and documenting a legal basis for the processing of personal data
- Maintaining a record of processing activities
- Implementing appropriate privacy notices
- Obtaining appropriate consents
- Creating a data breach reporting mechanism

Rights of Data Subjects

Data protection laws also give people certain rights with some exceptions. These are:

Access
A person has the right to know whether Medair has used their personal data, and Medair must provide a copy of such data if requested.

Correct the data
A person has the right to request that Medair correct any inaccurate personal data relating to them.

Be erased (or "forgotten")
A person has the right to request that Medair erase their personal data.

Restrict processing
A person has the right to request Medair to restrict usage of their personal data.

Data portability
A person has the right to receive their personal data from Medair in a structured, commonly used and machine-readable format and has the right to transmit the data to another entity.

Object
A person has the right to object at any time to the use of their personal data by Medair.

Not to be subject to a decision based solely on automated processing
A person has the right not to be subject to a decision based solely on automated processing (i.e., without human involvement), including profiling.

Other rights
Other rights exist, such as the right to be informed of a data breach and the right to withdraw consent to the use of their personal data.

Responsibilities

All Medair representatives, principally our employees, have the responsibility for ensuring that personal data is collected, stored and used appropriately. Representatives that come into contact with personal data must ensure that it is handled in line with this policy and data protection principles. All Medair representatives are encouraged to speak to their supervisor or appropriate point of contact regarding any data protection or privacy concerns. Significant incidents of data protection non-compliance should be addressed to Data Protection Officer by sending an email to the following email address dataprotection@medair.org.